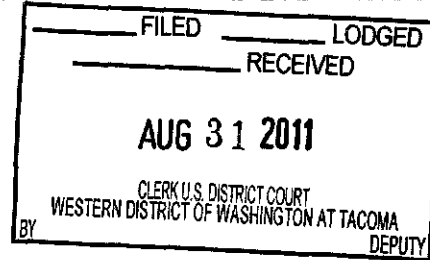


THE HONORABLE RONALD B. LEIGHTON



UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

CHELLISSA FISHERIES, LLC AND
HARLOCK MURRAY UNDERWRITING,
LTD.,

Plaintiffs,

v.

NEWPORT DIESEL & MARINE COMPANY,
INC.,

Defendant.

No.11-05517 RBL

**PLAINTIFFS' NOTICE OF DISMISSAL
WITH PREJUDICE
Fed. R. Civ. P. 41(a)(1)(A)(i)**

Plaintiffs Chellissa Fisheries, LLC and Harlock Murray Underwriting, LTD, herein give notice under Fed. R. Civ P. 41(a)(1)(A)(i) of their intent to dismiss with prejudice all claims against all defendants for the reason that the parties have settled all claims in this matter. None of the defendants have filed an answer to plaintiffs' complaint or a motion for summary judgment. Plaintiffs' Notice of Dismissal With Prejudice per Fed. R. Civ. P. 41(a)(1)(A)(i) is being served upon each of the captioned defendants and/or their known counsel.

[PREJUDICE

NIELSEN ■ SHIELDS

P L L C

600 Stewart Street, Suite 1703

Seattle, Washington 98101

206.728.1300

11-CV-05517-ORD

1 DATED this 30th day of August, 2011.

2
3 s/Lanning Trueb

4 LANNING M. TRUEB, WSBA # 31389

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11 lmtrueb@msn.com

12 Attorneys for Defendants

13
14
15 IT IS SO ORDERED THIS 31st DAY OF August, 2011

16 *Ronald B. Lanning*
17 UNITED STATES DISTRICT COURT JUDGE
18
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20
21
22
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CERTIFICATE OF SERVICE

The undersigned certifies that on this day he/she caused to be served in the manner noted below, a copy of foregoing on the following counsel of record:

Cummins, Inc. and Cummins Northwest, LLC
c/o Mr. William L. Nie
Office of General Counsel
Cummins Inc. MC 60701
500 Jackson Street
Columbus, Indiana 47202-3005

Newport Diesel and Marine Company
c/o Kathrine Warren
P.O. Box 328
Newport, OR 97365

- ☒ Via U.S. Mail
☐ Via Email Transmission
☐ Via Facsimile
☐ Via Hand Delivery

I certify under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct this 30th day of August, 2011.


Signed at Seattle, Washington